IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1564 OF 2002

The State of Maharashtra and ors. ...Petitioners

Versus

A. S. Bhalerao ....Respondent

Mr. N.P. Deshpande, Assistant Government Pleader, for the petitioners.
None for the respondent.

CORAM: **H.S. BEDI, C.J.,** &
V.M. KANADE, J.

DATE: OCTOBER 09, 2006.

P.C.

It has been stated by the learned counsel for the parties that this matter is covered by the decision of this Court in the case of *State of Maharashtra and another* vs. *Dilip Anant Surve* [2005 (3) Mh. L.J. 98] . We accordingly allow this petition and quash the order dated 26th September, 2000, passed by the Maharashtra Administrative Tribunal, Mumbai Bench, Mumbai, in Original Application No. 521 of 2000 and remit the matter once again to the Tribunal for a decision on the merits of the controversy. We also direct that the *status quo* as of today will be maintained while the matter remains pending with the Tribunal and

that the Tribunal will decide the matter expeditiously. Writ Petition is accordingly allowed with the above terms. Rule is made absolute accordingly.

CHIEF JUSTICE

V.M. KANADE, J.